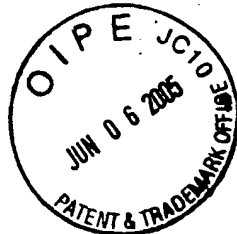


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1FW 1616



APPLICANT: Misselbrook

ATTY. DOCKET NO.: BKG-P-02-001

SERIAL NO.: 10/069,911

GROUP ART UNIT: 1616

FILING DATE: February 26, 2002

EXAMINER: Clardy

TITLE: "WATER-DISPERSIBLE AGROCHEMICAL COMPOSITIONS"

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted.

____ Within 3 months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 CFR \$1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)

____ After the mailing date of a first Office Action but before (1) mailing of a final action under 37 CFR \$1.113; or (2) mailing of a notice of allowance under \$1.311, whichever occurs first.

____ Payment for the fee set forth in 37 CFR \$1.17(p) accompanies this submission; or

____ The certification specified in 37 CFR \$1.97(e) is made below. (No fee is required.)

____ After the mailing of (1) a final action under 37 CFR \$1.113; or (2) a notice of allowance under 37 CFR \$1.311 whichever occurs first, but before payment of the issue. The certification specified in 37 CFR \$1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 CFR \$1.17(i)(1) accompanies this submission.

____ The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

____ The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR \$1.56(c) more than three months prior to the filing of the statement.

X The Information Disclosure Statement is filed pursuant to 37 CFR \$1.501. The Patent Office is hereby requested to place the Information Disclosure Statement in the file of the above-identified application.

____ A check in the amount of \$_____ to cover any required fee is enclosed.

X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0595. ~~A duplicate of this sheet is enclosed for this purpose.~~

(Req. No. 35,018)

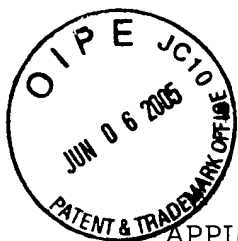
BRIAN M. MATTSON
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Telephone: (773) 772-6009

When phoning re this application, please call (773) 772-609

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 3, 2005.

(Req. No. 35,018)

BRIAN M. MATTSON



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE STATEMENT

APPLICANT: Misselbrook

ATTY. DKT. NO.: BKG-P-02-001

SERIAL NO.: 10/069,911

GROUP ART UNIT: 1616

FILING DATE: February 26, 2002

EXAMINER: Clardy

INVENTION: "WATER-DISPERSIBLE AGROCHEMICAL COMPOSITIONS"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

In accordance with the provisions of 37 CFR §1.501, Applicant requests that the references identified on the attached Forms PTO/SB/08A and Forms PTO/SB/08B be entered into the patent file for the above-mentioned application for U.S. patent. No fee is due for submission of this statement. If, however, any fees are due and owing in view of this communication, please charge Deposit Account No. 50-0595. *A duplicate of this sheet is included for this purpose.*

SUBMITTED DOCUMENTS

A. U.S. PATENT DOCUMENTS

| <u>PATENT NO.</u> | <u>PATENTEE</u> | <u>ISSUE DATE</u> |
|-------------------|------------------|-------------------|
| 4,721,521 | Hay et al. | Jan. 26, 1988 |
| 4,933,000 | Somlo | Jun. 12, 1990 |
| 5,108,482 | Lang et al. | Apr. 28, 1992 |
| 5,443,764 | Lloyd et al. | Aug. 22, 1995 |
| 5,872,078 | Kuchikata et al. | Feb. 16, 1999 |

B. FOREIGN PATENT DOCUMENTS

| <u>PUBLICATION NO.</u> | <u>APPLICANT</u> | <u>PUBLICATION DATE</u> |
|-------------------------------|-----------------------------|--------------------------------|
| GB 1433882 | Clinch | Apr. 28, 1976 |
| GB 1572718 | Kockums Chemical Aktebolag | Jul. 30, 1980 |
| DE 3633363A1 | Bayer AG | Apr. 14, 1988 |
| EP 0302983A2 | CIBA-GEIGY AG | Feb. 15, 1989 |
| GB 2238960A | Rhone-Poulenc Agrochime | Jun. 19, 1991 |
| WO 91/13546 | E.I. DuPont DeNemours & Co. | Sep. 19, 1991 |
| WO 92/16522 | CIBA-GEI-GA AG | Oct. 1, 1992 |
| WO 93/25074 | E.I. DuPont DeNemours & Co. | Dec. 23, 1993 |
| JP 6-298602 | Takeda Chem Ind. Ltd. | Oct. 25, 1994 |
| WO 95/08265 | E.I. Du Pont | Mar. 30, 1995 |
| WO 96/26828 | Collag Manufacturing Ltd. | Sep. 6, 1996 |
| EP 0766918A1 | Nissan Chemical Industries | Apr. 9, 1997 |
| WO 97/16968 | Merck & Co., Inc. | May 15, 1997 |
| WO 98/09516 | Novartis AG | Mar. 12, 1998 |
| WO 00/42846 | Collag Manufacturing Ltd. | Jul. 27, 2000 |
| WO 00/47044 | American Cyanamid Company | Aug. 17, 2000 |
| EP 1211936B1 | Misselbrook | Mar. 24, 2004 |

C. NON-PATENT LITERATURE DOCUMENTS

"1987 British Crop Protection Conference Weeds," BCPC Publications, Volume 2, pp. 531-540, 1987.

Devine et al., Malcolm, Physiology of Herbicide Action, PTR Prentice-Hall, Inc., pp. 22-26 and 53-63, 1993.

Tomlin, Clive, "The Pesticide Manual," British Crop Protection

Council and The Royal Society of Chemistry, Tenth edition, pp. 203 and 204, 1994.

"DuPont Agricultural Products," E.I. Du Pont De Nemours and Company, pp. 89, 143, 150, 155, 164, 169, 173, 183-194, 235, 238, 259, 260, 347, 351, 373, 374, 381, 382, 391-397, 407 and 408, 1998.

Thirucote et al., Ramachandran R., "Formulations Forum '99," Association of Formulation Chemists, pp. 1-27, March 3, 1999.

Tomlin, C. D. S., "The Pesticide Manual," British Crop Protection Council, pp. 73 and 176, 2003.

"Pesticides," University of Sussex, Undergraduate Course Notes, Lecture 11, December 15, 2004.

Communication of a Notice of Opposition I filed in European Patent Office for corresponding European Patent No. EP 1211936, January 10, 2005.

Communication of a Notice of Opposition III filed in European Patent Office for corresponding European Patent No. EP 1211936, January 10, 2005.

Communication of a Notice of Opposition II filed in European Patent Office for corresponding European Patent No. EP 1211936, January 12, 2005.

Email from Stephen Geary to Margaret Holt with seven attachments filed in the European Patent Office in connection with corresponding European Patent No. EP 1211936, January 21, 2005.

Patents Status Information for British Patent Application No. GB9920281.4, May 1, 2005.

II. DISCUSSION OF RELEVANCE OF NON-ENGLISH REFERENCES

Publication No. JP 06-289602 to Tokyo Ohka Kogyo Co. Ltd. is related to a photosensitive resin composition using perylene based dyestuff.

III. CONCLUSION

Copies of the above foreign references together with the Forms PTO/SB/08A and Forms PTO/SB/08B are submitted herewith. Applicant requests that the references identified in the Forms PTO/SB/08A and Forms PTO/SB/08B be entered into the patent file for the above-mentioned application for U.S. patent.

Respectfully submitted,



(Reg. No. 35,018)

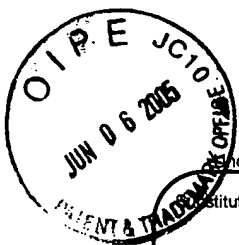
Brian M. Mattson
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A Professional Corporation
2849 W. Armitage Ave.
Chicago, IL 60647
(773) 772-6009
ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT, 3 PTO/SB/08A FORMS, 2 PTO/SB/08B FORMS AND 29 REFERENCES** are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 3, 2005.



Brian M. Mattson (Reg. No. 35,018)



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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|---|------|--------------------------|-------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Complete if Known | |
| | | Application Number | 10/069,911 |
| | | Filing Date | February 26, 2005 |
| | | First Named Inventor | Misselbrook |
| | | Art Unit | 1616 |
| | | Examiner Name | Clardy |
| Sheet 1 | of 2 | Attorney Docket Number | BKG-P-02-001 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | "1987 British Crop Protection Conference Weeds," BCPC Publications, Volume 2, pp. 531-540, 1987. | |
| | | Devine et al., Malcolm, Physiology of Herbicide Action, PTR Prentice-Hall, Inc., pp. 22-26 and 53-63, 1993. | |
| | | Tomlin, Clive, "The Pesticide Manual," British Crop Protection Council and The Royal Society of Chemistry, Tenth edition, pp. 203 and 204, 1994. | |
| | | "DuPont Agricultural Products," E.I. Du Pont De Nemours Company, pp. 89, 143, 150, 155, 164, 169, 173, 183-194, 235, 238, 259, 260, 347, 351, 373, 374, 381-2, 391-397, 407-8 | |
| | | Thircutole et al., Ramachandran R., "Formulations Forum '99," Association of Formulation Chemists, pp. 1-27, March 3, 1999. | |
| | | Tomlin, C. D. S., "The Pesticide Manual," British Crop Protection Council, pp. 73 and 176, 2003. | |
| | | "Pesticides," University of Sussex, Undergraduate Course Notes, Lecture 11, December 15, 2004. | |
| | | Communication of a Notice of Opposition I filed in European Patent Office for corresponding European Patent No. EP 1211936, January 10, 2005. | |
| | | Communication of a Notice of Opposition III files in European Patent Office for corresponding European Patent No. EP 1211936, January 10, 2005. | |
| | | Communication of a Notice of Opposition II files in European Patent Office for corresponding European Patent No. EP 1211936, January 12, 2005. | |

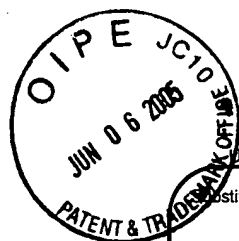
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| Examiner Signature | Date Considered |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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| | |
|------------------------|-------------------|
| Application Number | 10/069,911 |
| Filing Date | February 26, 2005 |
| First Named Inventor | Misselbrook |
| Art Unit | 1616 |
| Examiner Name | Clardy |
| Attorney Docket Number | BKG-P-02-001 |

| | | | |
|-------|---|----|---|
| Sheet | 2 | of | 2 |
|-------|---|----|---|

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| | | Email from Stephen Geary to Margaret Holt with seven attachments filed in the European Patent Office in connection with corresponding European Patent No. EP1211936, 01/21/05 | |
| | | Patents Status Information for British Patent Application No. GB9920281.4, May 1, 2005. | |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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